



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,546	01/24/2002	Sankar Basu	YOR920020018	8796

7590

01/24/2005

IBM CORPORATION
INTELLECTUAL PROPERTY LAW DEPT.
P.O. BOX 218
YORKTOWN HEIGHTS, NY 10598

EXAMINER

SMITH, PETER J

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,546

Applicant(s)

BASU ET AL.

Examiner

Peter J Smith

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/24/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: application filed on 1/24/2002, IDS filed on 1/24/2002.
2. Claims 1-22 are pending in the case. Claims 1, 16, and 22 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Stubler et al. (hereinafter “Stubler”), US 6,804,684 B2 filed 5/7/2001.**

Regarding independent claim 1, 16, and 22, Stubler discloses actively selecting examples of multimedia content to be annotated by a user and accepting input annotations from the user for the selected examples in fig. 2, fig. 6-7, col. 3 line 46 – col. 4 line 12, col. 8 lines 18-23, and col. 9 line 65 – col. 10 line 18. Stubler discloses propagating the input annotations to other instances of multimedia content and storing the input annotations and the propagated annotations in fig. 2, col. 3 line 46 – col. 4 line 12, and col. 8 lines 18-55.

Regarding dependent claims 2 and 17, Stubler discloses wherein the step of actively selecting is performed using a selection technique from the group consisting of deterministic and probabilistic in col. 4 line 64 – col. 5 line 19.

Regarding dependent claims 3 and 18, Stubler discloses wherein the step of actively selecting which is performed deterministically or probabilistically, is based on explicit models and feature proximity/similarity measures, and returns one or more examples of multimedia content to be annotated in fig. 2 and col. 8 lines 18-55.

Regarding dependent claims 4 and 19, Stubler discloses wherein the step of actively selecting, which is performed deterministically or probabilistically, is based on implicit models and feature proximity/similarity measures, and returns one or more examples of multimedia content to be annotated in fig. 2 and col. 8 lines 18-55.

Regarding dependent claims 5 and 20, Stubler discloses wherein an optimization criterion for active selection includes one or more criteria selected from the group consisting of: maximizing disambiguation, information measures, and confidence in fig. 2 and col. 8 lines 18-55.

Regarding dependent claims 6 and 21, Stubler discloses wherein the multimedia content comprises one or more types selected from the group consisting of: images, audio, video, graphics, text, multimedia, Web pages, time series data, surveillance data, sensor data, relational data, and XML data in col. 3 line 46 – col. 4 line 12.

Regarding dependent claim 7, Stubler discloses wherein the input annotations are created by a user with reference to a vocabulary in col. 3 line 46 – col. 4 line 12 and col. 8 lines 18-23.

Regarding dependent claim 8, Stubler discloses wherein the vocabulary contains one or more items selected from the group consisting of: terms, concepts, labels, and annotations in col. 3 line 46 – col. 4 line 12 and col. 8 lines 18-23.

Regarding dependent claim 9, Stubler discloses wherein the process of creating input annotations by the user involves multimodal interaction with the user using graphical, textual, and/or speech interface in fig. 2 and col. 3 line 46 – col. 4 line 12.

Regarding dependent claim 10, Stubler discloses wherein the input annotations are created by means of steps selected from the group consisting of: creating new annotations, deleting existing annotations, rejects proposed annotations, and modifying annotations in fig. 6-7 and col. 9 line 65 – col. 10 line 18.

Regarding dependent claim 11, Stubler discloses wherein the vocabulary is adaptively or dynamically organized and/or limited by the system of the user in fig. 6-7 and col. 9 line 65 – col. 10 line 18.

Regarding dependent claim 12, Stubler discloses wherein the multimodal interaction involves speech recognition, gaze detection, finger pointing, expression detection, and/or effective computing methods for sensing a user's state in fig. 6-7 and col. 9 line 65 – col. 10 line 18.

Regarding dependent claim 13, Stubler discloses wherein the determination of the propagation of annotations is made deterministically or probabilistically and on the use of models for each annotation or for joint annotations in col. 4 line 64 – col. 5 line 19.

Regarding dependent claim 14, Stubler discloses wherein the models are created or learned automatically or semi-automatically and/or are updated adaptively from interaction with the user in fig. 2, col. 3 line 46 – col. 4 line 12, and col. 8 lines 18-55.

Regarding dependent claim 15, Stubler discloses wherein the models are based on nearest neighbor voting or variants, parametric or statistical models, expert systems, rule-based systems, or hybrid techniques in fig. 2, col. 3 line 46 – col. 4 line 12, and col. 8 lines 18-55.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Zhang et al., US 6,748,398 B2 filed 3/30/2001 discloses relevance-feedback, content-based facilitating accurate and efficient image retrieval minimizing the number of iterations of user feedback regarding the semantic relevance of exemplary images while maximizing the resulting relevance of each iteration. Lipson et al., US 6,549,660 B1 continuation filed 2/12/1996 discloses identifying and classifying images. Li et al., US 6,094,653 filed 12/29/1997 discloses classifying words into word clusters to probabilistically indicate whether a document is in a particular category. Golshani et al., US 6,594,386 B1 filed 4/22/1999 discloses computerized indexing and retrieval of digital images. Chang et al., US 6,741,655 B1 provisional filed 5/5/1997 discloses object-oriented content-based video search. Luo et al., US 6,826,316 provisional filed 1/24/2001 discloses determining image similarity.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 571-272-4101. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

Art Unit: 2176

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJS
12/17/2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER